

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

JUAN MONTOYA, et al.,

Plaintiffs,

v.

**GRAHAM ENTERTAINMENT,
COMPLEX STATION, INC. et al.,**

Defendant.

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EP-09-CV-392-KC

SCHEDULING ORDER

The parties have submitted a Report of Parties' Planning Meeting in the above-captioned case (Doc. No. 5). The Court observes that the instant case started on May 11, 2009 as an adversary proceeding in the Bankruptcy Court for the Western District of Texas, under cause number 09-3007. Defendants first appeared in that proceeding on October 9, 2009, and some amount of progress was made in this matter before the reference was withdrawn by this Court – due to the non-core and wrongful-death nature of these claims – on December 14, 2009. Accordingly, the Report of Parties' Planning Meeting is **HEREBY ADOPTED** in part and the Court orders the deadlines set forth below.

The Court finds that, given the time this case spent in Bankruptcy Court, the season for amending the pleadings and joining new parties has passed. Going forward, the parties may move for such relief only upon a showing of good cause.

Discovery Deadline: October 8, 2010

Dispositive Motions Deadline: November 5, 2010

Jury Trial: March 18, 2011

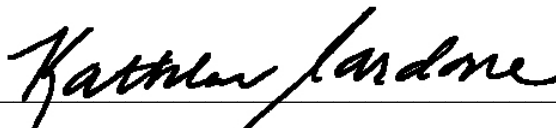
IT IS FURTHER ORDERED that the parties' proposed deadlines relating to specific discovery deadlines (i.e. depositions of experts, designation of experts, etc.) set forth in the Report of Planning Meeting are hereby adopted to the extent they are consistent with the deadlines above. To the extent they are inconsistent, the parties are ordered to meet, confer, and arrange new deadlines consistent with the deadlines above.

IT IS FURTHER ORDERED that the parties shall participate in and complete a formal dispute resolution process by no later than **November 5, 2010**.

IT IS FURTHER ORDERED that the parties shall provide the Court with written notice listing the name and address of the dispute resolution provider and the date of the scheduled dispute resolution proceeding by no later than **August 6, 2010**.

IT IS FURTHER ORDERED that the parties submit to the Court a written report pursuant to Rule CV-88 of the Local Court Rules of the outcome of the alternative dispute resolution procedure ordered herein not later than three days after the conclusions of such procedure.

SIGNED on this 31st day of March, 2010.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE